

**BEST AVAILABLE COPY**VIA FACSIMILE - FOUR (4) PAGES (Including This Cover)

Commissioner for Patents  
POB 1450, Alexandria, VA 22313-1450  
Transmitted to USPTO Central Fax No. 703-872-9306

**RECEIVED  
CENTRAL FAX CENTER****JAN 14 2005**

Re: **O. STRANDBERG, et al, Application No.: 09/599,736**  
**Docket No.: 0172.38192X00**  
**Examiner: C. T. Ho - Art Unit 2664**

**SUBMISSION OF DOCUMENTS**

Sir:

Applicants hereby transmit the attached "REQUEST FOR CLARIFICATION  
OF OFFICE ACTION" (3 pp) in connection with the above-identified application.

**CERTIFICATE OF TRANSMISSION:**

I hereby certify that the attached "REQUEST FOR CLARIFICATION OF  
OFFICE ACTION" is being **formally transmitted** via the USPTO Central Fax  
No. 703-872-9306 on **January 14, 2005.**

  
Deborah L. Therrien

**CONFIDENTIALITY NOTICE:** The documents accompanying this facsimile transmission contain confidential information belonging to the sender which is legally privileged. This information is intended only for the use of the individual(s) or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this facsimile information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original document to us.

**JAN 14 2005**0172.38192X00  
51348 EP (KG/SE)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: O. STRANDBERG, et al.  
Application No.: 09/599,736  
Filed: June 23, 2000  
For: DIFFERENTIATED SERVICE NETWORK AND METHOD OF  
OPERATING A DIFFERENTIATED SERVICE NETWORK  
Art Unit: 2664  
Examiner: C. T. Ho

**REQUEST FOR CLARIFICATION OF OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 14, 2005

Sir:

Receipt is hereby acknowledged of an Office Action dated November 1, 2004.  
With regard to this Office Action, clarification is requested, for the reasons set forth below, in order to permit the Applicants to provide a complete response to the Office Action.

In paragraph 3 on page 2 of the Office Action, it is stated:

"Claims 1-9, 10-18, 19-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Cox (USP 6,567,382 B1) in view of Pashtan, et al. (USP 6,542,466 B1)."

Also, USP 6,567,382 to Cox is listed as reference A on the form PTO/892 Notice of References Cited attached to the Office Action. As such, it appears from this paragraph that the Cox patent was intended to be the primary reference relied on in the rejection.

Application No.: 09/599,736  
Art Unit: 2664

Docket No.: 0172.38192X00  
Page 2

However, in the body of the rejection itself, reference is made to the Galand document as the apparent primary reference. As such, frequent reference is made throughout pages 2-6 of the Office Action concerning Galand, including combining it with the secondary reference to Pashtan. Although no document number is given for Galand, et al., it is assumed to be USP 6,188,698 which was cited in a previous Office Action.

In light of this situation, it is unclear to the Applicants is whether the rejection is actually based on the Cox reference, as noted at the outset of the rejection on page 2 of the Office action, or whether it is, in fact, actually based on the Galand patent. Indeed, it is not completely clear from the Office Action as to whether the Galand document being referred to is actually the same Galand patent used in the previous rejection. Therefore, under these circumstances, it is not possible for the Applicants to provide a complete response to the Office Action since it is not clear as to exactly which references the Examiner is actually relying on for the basis of the rejection. Therefore, clarification of this matter is respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus,

Application No.: 09/599,736  
Art Unit: 2664

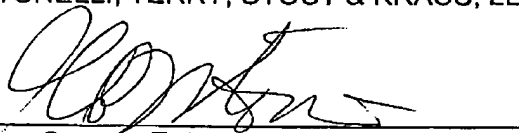
Docket No.: 0172.38192X00  
Page 3

LLP Deposit Account No. 01-2135 (Docket No. 0172.38192X00), and please credit  
any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

By



Gregory E. Montone  
Reg. No. 28,141

GEM/dlt

1300 North Seventeenth Street, Suite 1800  
Arlington, Virginia 22209  
Telephone: (703) 312-6600  
Facsimile: (703) 312-6666